

CHESTNUTHILL TOWNSHIP SUPERVISORS
ROUTE 715, BRODHEADSVILLE, PA 18322
MINUTES OF MEETING – July 6, 2010

A regular meeting of the Chestnuthill Township Board of Supervisors was called to order at 7:00 p.m. on Tuesday, July 6, 2010 at the Township Municipal Building Rte 715, Brodheadsville. Those present were Chuck Gould (Chairman), Dave Fleetwood (Vice-Chairman), Chris Eckert (Supervisor), David Albright (Township Manager), Cathy Martinelli (Office Manager), and Atty. Joseph P. McDonald, Jr.

The **Pledge of Allegiance** to the Flag was led by Mr. Thody.

Recess into Official Map Hearing. On motion made by Dave Fleetwood, seconded Chris Eckert it was voted to recess into Official Map hearing at 7:05 pm. This was for discussion and possible vote on the Official Map Amendments. Public comment was closed at the prior hearing. It was noted that the MCPC reviewed the map and their comment letter dated June 4th notes that the plan is consistent with the Pennsylvania Municipalities Planning Code and recommend adoption. A brief discussion ensued and on motion made by Chris Eckert, seconded by Dave Fleetwood it was voted to approve the Official Map as revised and adopt Ordinance 2010-02. (3-0)

Out of Recess. On motion made by Chris Eckert, seconded by Dave Fleetwood it was voted to go back out of recess to Supervisors public meeting at 7:11 p.m. (3-0)

Executive Session. Was held on June 1st on a litigation issue.

Unit Care Agreement. None.

Parks. Bernie Kozen was absent; Dave Albright reported the following events:

- Patriotic coloring contest 7/10 10am-1pm
- Art Workshops 7/12, 7/19, 8/5
- Ross Twp park 7/30/10 9:30am
- Star Gazing @ Regional Park 7/17/10 8:30pm
- Art in the Park 7/25/10 1pm-4pm
- Pohoqualine Walk w/Don Miller 8/29 1pm-4pm
- Miscellaneous:
Ordered (2) baby changing stations for restrooms at the Park Bldg

Public Comment:

Resident Neil Boyce. Wanted to let the road department know the reflectors at the corner of Faust and Marion Lane in Brodhead Manor are missing.

Resident Bill Grant. Wanted to let the Board know that Rte 209/115 businesses are looking awful. Mr. Grant brought pictures of the areas of concern. The neighboring property previously owned by Clearview Builders on Rte 115 the grass is about 4' high and a fire hazard. Chuck suggested that Atty McDonald look up the owner of record and send a letter.

Resident Stuart Thody. Asked about the revenues for the second quarter. Cathy said she reviewed recently and real estate and transfer tax were up, earned income tax was behind. Expenses are holding as we are being frugal. As soon as the 2nd quarter reports are finished we can examine further.

Burn Ban. On motion made by Chris Eckert, seconded by Dave Fleetwood it was voted to put a complete and total burn ban on until further notice. (3-0)

Resident Chris Hagenbach. Complained about the excessive cars parking on Russell Court in Birch Brier Estates. We will forward to the Zoning Officer.

Resident Al Bourke. Spoke about the recent ticketing of people parking in the fire lanes at local businesses. He wanted to know what authority the Township had for ticketing people. It is the 2nd class township code and the Firelane Ordinance.

Minutes. On motion made by Chris Eckert, seconded by Dave Fleetwood it was voted to approve the minutes of the June 1st Supervisors meeting and the June 14th Special meeting, as distributed. (3-0) On motion made by Dave Fleetwood, seconded by Chris Eckert it was voted to approve the minutes of the June 14th Bill paying meeting, as distributed. (3-0)

Correspondence.

Applegate Land Development. On motion made by Dave Fleetwood, seconded by Chris Eckert it was voted to authorize Atty. Todd Weitzmann to proceed with collection of unpaid engineering and review fees. (3-0)

PLGSA Conference. Cathy asked the Board to attend this conference in Gettysburg PA for her continuing education credits. On motion made by Dave Fleetwood, seconded by Chris Eckert it was voted to approve this conference request which includes registration fees, lodging, meals and mileage. (3-0)

Buzzard Sub Division determination. Atty. McDonald had forwarded a letter from Atty. Martino asking for a determination from the Board on whether a subdivision plan is necessary for their 37 acre tract. A brief discussion ensued and on motion made by Chuck Gould, seconded by Dave Fleetwood it was voted to have Atty. McDonald send a response based on a similar parcel, it does need a subdivision to divide the parcel. (3-0)

Old Business.

Outdoor wood burner ordinance- Tabled until further notice.

Lot joinder Mark Baylis. This is regarding a repository lot that the Board of Supervisors released to Mark Baylis with several conditions, one of which was to adjoin this repository parcel to his parcel to become one. This has not been completed yet. On motion made by Dave Fleetwood, seconded by Chris Eckert it was voted to have Atty. McDonald send a letter. (3-0)

New Business.

Eagle Scout Resolution-Andrew James Castaldi. The Board of Supervisors recognizes the importance of the Boy Scouts of America and the rank of Eagle Scout is achieved through hard work, motivation and discipline. On motion made by Dave Fleetwood, seconded by Chris Eckert it was voted to approve and sign resolution 2010-07. (3-0)

Authorize audit of DEP recycling grant. This is a proposal from Zelenkofske Axelrod LLC to provide and audit of the funds expended from the DEP recycling grant. This audit will not exceed \$2,000.00. On motion made by Chris Eckert, seconded by Dave Fleetwood it was voted to approve this audit, as required by DEP. (3-0)

Bid In-Place Road material project. This is for authorization to bid for in-place road paving project. On motion made by Dave Fleetwood, seconded by Chris Eckert it was voted to put this out for bidding. (3-0)

Transfer Station-Jim Bidwell. Jim Bidwell owns Christian Container Service and has a contract with the Township for the waste side of the Transfer Station. He asked the Board to allow him to add a price for Contractor Bags not to exceed \$10.00. The problem he is running into is that people are throwing materials in these bags such as drywall, old carpets, etc that are much too heavy and should be bulky items instead of a bag price. A brief discussion ensued and it was determined that there will be a 3 month trial period with Jim returning to the 2nd meeting in November to revisit this issue. There will be an information board placed at the Transfer Station with the bag sizes and their pricing as soon as possible and that the new price would begin August 1st. On motion made by Dave Fleetwood, seconded by Chris Eckert it was voted to have a trial period with new pricing on the contractors' bags. (3-0)

Cancel 2nd Supervisor meetings in July-Aug-Sept. Since there is not much business for the 2nd meetings of the month, on motion made by Chris Eckert, seconded by Dave Fleetwood it was voted to cancel the Supervisors meetings on July 20, August 17 and September 21 and to hold bill paying only on July 19, August 16 and September 20 at 7:30 am. No other business to be conducted. (3-0)

PSATS resolution. A request was made by PSATS to have Supervisors send a resolution in opposition to forced mergers and consolidations of local governments in Pennsylvania. On motion made by Dave Fleetwood, seconded by Chris Eckert it was voted to approve and sign resolution 2010-8 and send to PSATS. (3-0)

Firelane Ordinance-Official Designee. On motion made by Chris Eckert, seconded by Dave Fleetwood it was voted to authorize the Deputy Fire Chief Robert Geyer to enforce the Firelane Ordinance. (3-0)

Historical Society Bylaws. The Chestnuthill Township Historical Society Constitution and By Laws were drafted. It was the intent to adopt the bylaws and move along with the 501.c3 application. On motion made by Chuck to adopt the bylaws. Resident Mr. Thody objected to this motion he stated the Bylaws should come before the committee and all interested parties for review prior to being adopted. The motion died for lack of a second. A brief discussion ensued. It was suggested the Bylaws be forwarded to the committee for their review and comments to be sent back by August 3rd meeting. It was also mentioned to contact Atty. Larry Fox for his expertise in historical societies.

Bills. On motion made by Chris Eckert, seconded by Dave Fleetwood it was voted to pay the General Fund bills. (3-0)

Plans.

Merwine, Connie (Major Subdivision & LDP) Keystone Engineering. In for final approval. It was asked via phone to table this plan tonight. On motion made by Dave Fleetwood, seconded by Chris Eckert it was voted to table this plan tonight. (3-0) (Plan date 7/1/09) **(waiver until 10/15/10)**

Merwine, Connie (Land Development Plan) Keystone Engineering. In for final approval. It was asked via phone to table this plan tonight. On motion made by Dave Fleetwood, seconded by Chris Eckert it was voted to table this plan tonight. (3-0) (Plan date 7/1/09) **(waiver until 10/15/10)**

Kal-Tac Inc. (Land Development Plan/Reverse Subdivision Plan) Effort Associates. It was asked via phone that this plan be tabled tonight. On motion made by Dave Fleetwood, seconded by Chris Eckert it was voted to table this plan. (3-0) (Plan date 8/2003) **(open ended waiver)**

Pleasant Valley Assembly of God. (Prelim/Final Plan) Niclaus Engineering. It was asked via phone to table this plan tonight. On motion made by Dave Fleetwood, seconded by Chris Eckert it was voted to table this plan. (3-0) (Plan date April 1, 2008) **(open ended waiver)**

Green, William III (Minor Subdivision) George Collura, PLS. It was asked via phone to table this plan tonight. On motion made by Dave Fleetwood, seconded by Chris Eckert it was voted to table this plan. (3-0) (Plan date 9/30/09) **(open ended waiver)**

Heller, Larry & Kathleen. (Minor Subdivision) Brian Courtright. It was asked via phone to table this plan tonight. On motion made by Dave Fleetwood, seconded by Chris Eckert it was voted to table this plan. (3-0) (Plan date 12/18/08) **(open ended waiver 12/2/09)**

CVS Pharmacy, LLC (Land Development Plan) Bohler Engineering. Atty. Eric Schock and Engineer Joel DelliCarpini was present on behalf of this plan. Several items still remain outstanding. A brief discussion ensued and on motion made by Chuck Gould, seconded by Dave Fleetwood it was voted to conditionally approve this plan subject to Atty. Schock's letter dated 7/6/10, Engineer McDermott's comment letter dated 7/6/10 being satisfactorily addressed, certification of the well being relocated, all fees being paid, outside agency approvals being obtained including a HOP, E&S and NPDES. (3-0) (Plan date 8/29/09) (**waiver until 7/7/10**) (Rev. 10/30/09, 12/23/09, 1/12/10, 2/4/10, 3/3/10)

The Kinsley Group Family Limited Partnership. (Final LDP) Lou Cozza of Nicholas Engineering and Chris Kinsley were present on behalf of this plan. Engineer McDermott's comment letter dated July 6, 2010 was reviewed. A brief discussion ensued. There are still remaining items to be completed, as well as outside agency approvals. It was noted that in front of the building a 2' firelane marking would be acceptable instead of 8' because it is in a travel lane. Other items needed are LOC, development agreement, stormwater maintenance agreement and septic maintenance agreement. On motion made by Chuck Gould, seconded by Chris Eckert it was voted to table this plan tonight.(3-0) It was noted on motion made by Chuck Gould, seconded by Chris Eckert that we would hold a special meeting for an approval if all items were in order, since we are having only one Supervisor meeting a month. (3-0) (Plan date 5/4/10). (**90-day review ends 8/19/10**) (**Rev. 6/17/10**)

Planning Module Approval.

Heller, Larry & Kathleen. It was asked via phone to table this module tonight. On motion made by Chris Eckert, seconded by Dave Fleetwood it was voted to table this tonight. (3-0)

Adjournment. There being no further business, on motion made by Chuck Gould, seconded by Chris Eckert it was voted to adjourn at 9:45 p.m. (3-0)

Respectfully submitted,

Cathy A. Martinelli
Recording Secretary